

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01677-RC**

PROPERTY OF THE PEOPLE, INC. et al v. OFFICE OF
MANAGEMENT AND BUDGET et al
Assigned to: Judge Rudolph Contreras
Cause: 05:552 Freedom of Information Act

Date Filed: 08/17/2017
Date Terminated: 08/19/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

PROPERTY OF THE PEOPLE, INC.

represented by **Jeffrey Louis Light**
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ATTORNEY TO BE NOTICED

Plaintiff

RYAN NOAH SHAPIRO

represented by **Jeffrey Louis Light**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**OFFICE OF MANAGEMENT AND
BUDGET**

represented by **Joseph C. Dugan**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 514-3259
Email: joseph.dugan@usdoj.gov
TERMINATED: 02/25/2019
LEAD ATTORNEY
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**COUNCIL ON ENVIRONMENTAL
QUALITY**
TERMINATED: 10/20/2017

represented by **Joseph C. Dugan**
(See above for address)
TERMINATED: 02/25/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/17/2017	<u>1</u>	COMPLAINT against COUNCIL ON ENVIRONMENTAL QUALITY, OFFICE OF MANAGEMENT AND BUDGET (Filing fee \$ 400 receipt number 0090-5079816) filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Light, Jeffrey) (Entered: 08/17/2017)
08/17/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PROPERTY OF THE PEOPLE, INC. (Light, Jeffrey) (Entered: 08/17/2017)
08/17/2017		Case Assigned to Judge Rudolph Contreras. (md) (Entered: 08/18/2017)
08/18/2017	<u>3</u>	SUMMONS (4) Issued Electronically as to COUNCIL ON ENVIRONMENTAL QUALITY, OFFICE OF MANAGEMENT AND BUDGET, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 08/18/2017)
09/28/2017	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. COUNCIL ON ENVIRONMENTAL QUALITY served on 9/6/2017, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/06/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/6/2017. (Answer due for ALL FEDERAL DEFENDANTS by 10/6/2017.) (Light, Jeffrey) (Entered: 09/28/2017)
09/29/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF MANAGEMENT AND BUDGET served on 9/11/2017 (Light, Jeffrey) (Entered: 09/29/2017)
10/06/2017	<u>6</u>	NOTICE of Appearance by Joseph C. Dugan on behalf of All Defendants (Dugan, Joseph) (Entered: 10/06/2017)
10/06/2017	<u>7</u>	ANSWER to Complaint by COUNCIL ON ENVIRONMENTAL QUALITY, OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Exhibit A (FOIA request to OMB), # <u>2</u> Exhibit B (FOIA request to CEQ), # <u>3</u> Exhibit C (Determination letter from CEQ))(Dugan, Joseph) (Entered: 10/06/2017)
10/06/2017		MINUTE ORDER: It is hereby ORDERED that the parties shall meet, confer, and jointly submit a proposed briefing schedule by October 20, 2017. SO ORDERED. Signed by Judge Rudolph Contreras on October 6, 2017. (lcrc2) (Entered: 10/06/2017)
10/11/2017		Set/Reset Deadlines: Meet & Confer Statement due by 10/20/2017. (tj) (Entered: 10/11/2017)
10/19/2017	<u>8</u>	STIPULATION of Dismissal <i>with Prejudice of the Council on Environmental Quality</i> by COUNCIL ON ENVIRONMENTAL QUALITY, OFFICE OF MANAGEMENT AND BUDGET. (Dugan, Joseph) (Entered: 10/19/2017)
10/19/2017	<u>9</u>	Joint STATUS REPORT by COUNCIL ON ENVIRONMENTAL QUALITY, OFFICE OF MANAGEMENT AND BUDGET. (Dugan, Joseph) (Entered: 10/19/2017)
10/23/2017		MINUTE ORDER adopting the proposed schedule in <u>9</u> the parties' joint status report: It is hereby ORDERED that the parties shall meet, confer, and jointly submit a status report, including, if necessary, a proposed schedule to govern further proceedings in this case, by November 20, 2017. SO ORDERED. Signed by Judge Rudolph Contreras on October 20, 2017. (lcrc2) (Entered: 10/23/2017)
10/23/2017		Set/Reset Deadlines: Status Report due by 11/20/2017 (tj) (Entered: 10/23/2017)
11/20/2017	<u>10</u>	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Dugan, Joseph) (Entered: 11/20/2017)
11/20/2017		MINUTE ORDER adopting <u>10</u> the parties' proposed briefing schedule: It is hereby ORDERED that the following schedule shall govern further proceedings: Defendant shall file its motion for summary judgment by January 16, 2018; Plaintiffs shall file their opposition to Defendant's motion and their cross-motion for summary judgment

		by February 12, 2018; Defendant shall file its opposition to Plaintiffs' cross-motion and its reply in support of its own motion by February 26, 2018; Plaintiffs shall file their reply in support of their cross-motion by March 12, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on November 20, 2017. (lcrc2) (Entered: 11/20/2017)
11/21/2017		Set/Reset Deadlines: Summary Judgment motions due by 1/16/2018. Response to Motion for Summary Judgment due by 2/12/2018. Reply to Motion for Summary Judgment due by 2/26/2018. Cross Motions due by 2/12/2018. Response to Cross Motions due by 2/26/2018. Reply to Cross Motions due by 3/12/2018. (tj) (Entered: 11/21/2017)
01/15/2018	<u>11</u>	Consent MOTION for Extension of Time to File <i>Summary Judgment Motion</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 01/15/2018)
01/16/2018		MINUTE ORDER: Upon consideration of <u>11</u> Defendant's Consent Motion for Extension of Time, it is hereby ORDERED that the following schedule shall govern summary judgment briefing: Defendant shall file its motion for summary judgment on or before January 18, 2018; Plaintiffs shall file their response to Defendant's motion and their cross-motion for summary judgment on or before February 15, 2018; Defendant shall file its reply in support of its own motion for summary judgment and response to Plaintiffs' motion for summary judgment by February 26, 2018; and Plaintiffs shall file their reply in support of their cross-motion for summary judgment by March 12, 2018. Signed by Judge Rudolph Contreras on January 16, 2018. (lcrc2) (Entered: 01/16/2018)
01/17/2018		Set/Reset Deadlines: Cross Motions due by 2/15/2018. Response to Cross Motions due by 2/26/2018. Reply to Cross Motions due by 3/12/2018. Summary Judgment motions due by 1/18/2018. Response to Motion for Summary Judgment due by 2/15/2018. Reply to Motion for Summary Judgment due by 2/26/2018. (tj) (Entered: 01/17/2018)
01/18/2018	<u>12</u>	MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit A (Declaration of Heather Walsh, Vaughn), # <u>4</u> Exhibit B (Sample), # <u>5</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 01/18/2018)
02/15/2018	<u>13</u>	Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 02/15/2018)
02/15/2018	<u>14</u>	Cross MOTION for Summary Judgment by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 02/15/2018)
02/16/2018	<u>15</u>	ERRATA by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO <u>14</u> Cross MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Statement of Facts)(Light, Jeffrey) (Entered: 02/16/2018)
02/26/2018	<u>16</u>	REPLY to opposition to motion re <u>12</u> MOTION for Summary Judgment filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit A (Second Walsh Declaration), # <u>3</u> Exhibit B (Sample))(Dugan, Joseph) (Entered: 02/26/2018)
02/26/2018	<u>17</u>	RESPONSE re <u>14</u> Cross MOTION for Summary Judgment filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit A (Second Walsh Declaration), # <u>3</u> Exhibit B (Sample), # <u>4</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 02/26/2018)
03/12/2018	<u>18</u>	REPLY to opposition to motion re <u>14</u> Cross MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Exhibit 1 – Bates page 13)(Light, Jeffrey) (Entered: 03/12/2018)
09/14/2018	<u>19</u>	ORDER denying <u>12</u> Defendant's Motion for Summary Judgment, and granting in part and denying in part <u>14</u> Plaintiffs' Cross-Motion for Summary Judgment. See document for details. Signed by Judge Rudolph Contreras on September 14, 2018.

		(lcrc2) (Entered: 09/14/2018)
09/14/2018	<u>20</u>	MEMORANDUM OPINION denying <u>12</u> Defendant's Motion for Summary Judgment, and granting in part and denying in part <u>14</u> Plaintiffs' Cross-Motion for Summary Judgment. See document for details. Signed by Judge Rudolph Contreras on September 14, 2018. (lcrc2) (Entered: 09/14/2018)
10/05/2018	<u>21</u>	NOTICE of Change of Address by Joseph C. Dugan (Dugan, Joseph) (Entered: 10/05/2018)
10/05/2018	<u>22</u>	Joint MOTION for Extension of Time to <i>File Renewed Motion for Summary Judgment</i> , Joint MOTION for Briefing Schedule by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 10/05/2018)
10/09/2018		MINUTE ORDER granting <u>22</u> Joint Motion for Extension of Time: It is hereby ORDERED that Defendant shall file its renewed motion for summary judgment on or before November 19, 2018, and that Plaintiffs shall file their response in opposition and their renewed cross-motion for summary judgment on or before December 19, 2018. It is FURTHER ORDERED that Defendant shall file its response to Plaintiffs' renewed cross-motion and its reply in support of its renewed motion on or before January 18, 2019; Plaintiffs shall file their reply in support of their renewed cross-motion on or before February 11, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 10/9/2018. (lcrc2) (Entered: 10/09/2018)
10/09/2018	<u>23</u>	NOTICE of Appearance by Steven A. Myers on behalf of OFFICE OF MANAGEMENT AND BUDGET (Myers, Steven) (Entered: 10/09/2018)
10/09/2018	<u>24</u>	NOTICE of Change of Address by Joseph C. Dugan (Dugan, Joseph) (Entered: 10/09/2018)
11/19/2018	<u>25</u>	Second MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit A – Third Declaration of Heather V. Walsh, # <u>3</u> Exhibit B – Declaration of Emma K. Doyle, # <u>4</u> Text of Proposed Order)(Myers, Steven) (Entered: 11/19/2018)
12/19/2018	<u>26</u>	Memorandum in opposition to re <u>25</u> Second MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 12/19/2018)
12/19/2018	<u>27</u>	Cross MOTION for Summary Judgment (<i>Renewed</i>) by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 12/19/2018)
01/10/2019	<u>28</u>	Unopposed MOTION to Stay <i>Proceedings in Light of Lapse of Appropriations</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 01/10/2019)
01/10/2019		ORDER granting in part <u>28</u> Defendant's Unopposed Motion to Stay Proceedings in Light of Lapse of Appropriations: It is hereby ORDERED that the motion is GRANTED IN PART. The remaining briefing deadlines are extended as follows: Defendant shall file its response to Plaintiffs' motion for summary judgment and its reply in support of its own motion for summary judgment by February 18, 2019. Plaintiffs shall file their reply in support of their motion for summary judgment by March 13, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on January 10, 2019. (lcrc2) (Entered: 01/10/2019)
01/28/2019	<u>29</u>	NOTICE of <i>Restoration of Appropriations</i> by OFFICE OF MANAGEMENT AND BUDGET re Order on Motion to Stay,, (Dugan, Joseph) (Entered: 01/28/2019)
02/14/2019	<u>30</u>	Consent MOTION for Extension of Time to File Response/Reply by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 02/14/2019)
02/14/2019		MINUTE ORDER granting <u>30</u> Motion for Extension of Time: It is hereby ORDERED that the motion is GRANTED. Defendant will file its response to Plaintiffs' cross-motion for summary judgement and its reply in support of its own motion for

		summary judgment by February 22, 2019. Plaintiffs will then file their reply in support of their cross-motion for summary judgment by March 20, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on February 14, 2019. (lcrc2) (Entered: 02/14/2019)
02/14/2019		Set/Reset Deadlines: Defendant's Response to Cross Motion and Reply in Support of Motion for Summary Judgment due by 2/22/2019. Plaintiff's Reply in Support of Cross Motion due by 3/20/2019. (zjd) (Entered: 02/15/2019)
02/22/2019	<u>31</u>	RESPONSE re <u>27</u> Cross MOTION for Summary Judgment (<i>Renewed</i>) filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Exhibit (Reply to Plaintiffs' Response to SOF, Response to Plaintiffs' SOF), # <u>2</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 02/22/2019)
02/22/2019	<u>32</u>	REPLY to opposition to motion re <u>25</u> Second MOTION for Summary Judgment filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Exhibit (Reply to Plaintiffs' Response to SOF, Response to Plaintiffs' SOF), # <u>2</u> Text of Proposed Order)(Dugan, Joseph) (Entered: 02/22/2019)
02/25/2019	<u>33</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to OFFICE OF MANAGEMENT AND BUDGET. Attorney Joseph C. Dugan terminated. (Dugan, Joseph) (Entered: 02/25/2019)
03/20/2019	<u>34</u>	REPLY to opposition to motion re <u>27</u> Cross MOTION for Summary Judgment (<i>Renewed</i>) filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Light, Jeffrey) (Entered: 03/20/2019)
08/19/2019	<u>35</u>	ORDER granting <u>25</u> Defendant's Motion for Summary Judgment and denying <u>27</u> Plaintiffs' Cross-Motion for Summary Judgment: See document for details. Signed by Judge Rudolph Contreras on August 19, 2019. (lcrc2) (Entered: 08/19/2019)
08/19/2019	<u>36</u>	MEMORANDUM OPINION granting <u>25</u> Defendant's Motion for Summary Judgment and denying <u>27</u> Plaintiffs' Cross-Motion for Summary Judgment: See document for details. Signed by Judge Rudolph Contreras on August 19, 2019. (lcrc2) (Entered: 08/19/2019)